

Three Embarcadero Center
28th Floor

San Francisco
California 94111

T: 415-217-8000
F: 415-434-0646

Austin, TX
Newport Beach, CA
San Jose, CA

skjerven morrill LLP

Date: May 14, 2002

To:	Thao P. Le	Fax Telephone #:	703-308-7722
CC:		Office Telephone #:	
		Fax Telephone #:	
		Office Telephone #:	

From: K. Alison de Runtz

Your Ref.: 09/783,069

Our Ref.: M-9727 US

Date Sent:	
Time Sent:	
Fax operator:	

This transmittal consists of 43 pages, including this cover sheet. **Return to: Rich Pask**

Message:

If you do not receive all pages, please call (415) 217-6000

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT(S) NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Three Embarcadero Ctr.
28th FloorSan Francisco
California 94111T: 415-217-6000
F: 415-434-0646Austin, TX
San Jose, CA
Newport Beach, CA

skjerven morrill
macpherson LLP

Docket No.: M-9727 US

January 4, 2002

Commissioner For Patents
Washington, D.C. 20231

Re: Applicants: Robert J. Small and Xiaowei Shang
 Assignee: EKC Technology, Inc.
 Title: Chemical-Mechanical Planarization Using Ozone
 Serial No.: 09/783,069
 Examiner: Le, Thao P. Filed: February 13, 2001
 Docket No.: M-9727 US Group Art Unit: 2818

Sir:

Transmitted herewith are the following documents in the above-identified application:

- (1) Return Receipt Postcard;
- (2) This Transmittal Letter (in duplicate);
- (3) Response to Restriction Requirement;
- (4) Preliminary Amendment;
- (5) Substitute Specification (marked); and
- (6) Substitute Specification (unmarked).

No additional fee is required.
 The fee has been calculated as shown below:

<input type="checkbox"/> Please charge our Deposit Account No. 19-2386 in the amount of	\$	<u>0.00</u>
<input checked="" type="checkbox"/> Also, charge any additional fees required and credit any overpayment to our Deposit Account No. 19-2386.		
	Total:	<u>0.00</u>

EXPRESS MAIL LABEL NO:

EV 052132687 US

Respectfully submitted,

K. Alison de Rantz
Attorney of Record
Reg. No. 37,119

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert J. Small and Xiaowei Shang

Assignee: EKC Technology, Inc.

Title: Chemical-Mechanical Planarization Using Ozone

Serial No.: 09/783,069

Filing Date: February 13, 2001

Examiner: Le, Thao P.

Group Art Unit: 2818

Docket No.: M-9727 US

San Francisco, California

January 4, 2002

COMMISSIONER FOR PATENTS
Washington, D.C. 202318/Election
SM 1/02
2/02RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to a restriction requirement mailed on December 12, 2001 and setting a shortened statutory period for response which expires on January 12, 2002. In view of the following remarks, reconsideration is respectfully requested. However, prior to such reconsideration, entry and consideration of the preliminary amendment submitted herewith are requested.

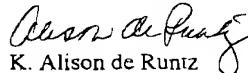
REMARKS

The Examiner has required restriction between an Invention I and an Invention II identified in the action. Invention II is provisionally elected with traverse. Applicants traverse on the ground that it is not believed to be too burdensome to search and examine the entire application. MPEP 803. Applicants have noted the Examiner's classifications of the identified Inventions I and II, but in view of the small number of pending claims, believe that the burden of searching same is not serious or onerous. Reconsideration of the restriction requirement is thus earnestly requested.

EXPRESS MAIL LABEL NO:

EV 052132687 US

Respectfully submitted,


K. Alison de Runtz
Attorney of Record
Reg. No. 37,119